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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,588	04/01/2004	Satoru Hosono	Q80867	5865
65565	7590	05/17/2007		
SUGHRUE-265550			EXAMINER	
2100 PENNSYLVANIA AVE. NW			UHLENHAKE, JASON S	
WASHINGTON, DC 20037-3213				
			ART UNIT	PAPER NUMBER
			2853	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/814,588

Applicant(s)

HOSONO, SATORU

Examiner

Jason Uhlenhake

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sayama (U.S. Pat. 6,419,337).

Sayama discloses:

- ***regarding claims 1, 9***, a liquid ejection apparatus comprising: a liquid ejection head comprising: a nozzle orifice communicated with a pressure chamber and a pressure generating element which generates pressure fluctuation in liquid which is contained in the pressure chamber (Column 2, Lines 27-31); a drive signal generator, which generates a drive signal containing within one cycle (Column 2, Lines 33-39)
 - first drive subsignal containing a plurality of first drive pulses each of which drives the pressure generating element to generate the pressure fluctuation so as to eject the liquid from the nozzle orifice (Abstract, Column 2, Lines 57-65), and a second drive pulse which drives the pressure generating element to generate the pressure fluctuation so as not to eject the liquid from the nozzle orifice (Column 3, Lines 10-17; Column 13, Lines 24-44); at least one second drive subsignal (series of drive signals), containing only the first drive pulses (Figure 4; Abstract, Column 2, Lines 57-65; Column 13, Lines 24-29)

- pulse supplier, which selectively supplies at least one of the first drive pulses and the second drive pulse to the pressure generating element in accordance with an amount of the liquid to be ejected from the nozzle orifice (Column 2, Lines 40-48)
- wherein each of the first drive subsignal and the second drive subsignal is associated with a first minimum area subjected to the liquid ejection; and wherein the second drive subsignal is associated with a second minimum area subjected to the liquid ejection, which is different from the first minimum area (Column 2, Line 57 – Column 3, Line 6); the drive signals can eject various sized drops which have different minimum areas
- **regarding claim 2**, wherein all of the first drive pulses have an identical waveform (Figure 4; Abstract, Column 57-65)
- **regarding claim 3**, the second drive subsignal is arranged at the beginning of the one cycle of the drive signal (Figure 4; Column 3, Lines 10-19; Column 13, Lines 24-44), the second drive subsignal can be at the beginning of the cycle since the vibration pulse can be selectively applied to the pressure generating element by the pulse supplier
- **regarding claim 4**, each of the first drive pulses and the second pulse is designated by one of pulse selection data processed in the pulse supplier; and the number of the pulse selection data for the first drive subsignal and the number of the pulse selection data for the second drive subsignal are the same (Figure 4; Column 2, Lines 32-49)

- a predetermined potential of the second drive subsignal is supplied to the pressure generating element by one of the pulse selection data for the second drive subsignal (Column 2, Lines 40-49)
- **regarding claims 10-11**, the drive signal generator repetitively generates the drive signal such that the first drive subsignal and the second drive subsignal are alternately generated (Figure 4; Abstract)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sayama (U.S. Pat. 6,419,337) in view of Kobayashi (U.S. Pat. 6,679,586).

Sayama discloses:

- **regarding claim 5**, duration of the one cycle of the drive signal is less than an interval (T) of the first timing signals (Figure 4)
- **regarding claim 6**, duration of each of the first drive subsignal and the second drive subsignal is less than an interval (T) of the second timing signals (Figure 4)

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- minimum areas is repetitively defined in accordance with a series of second timing signals which are generated in the external of the drive signal generator (Column 2, Line 57 – Column 3, Line 6)

Sayama does not expressly disclose:

- ***regarding claim 5***, drive signal is repetitively generated in accordance with a series of first timing signals which are generated in the external of the drive signal generator

Kobayashi et al discloses:

- ***regarding claim 5***, drive signal is repetitively generated in accordance with a series of first timing signals which are generated in the external of the drive signal generator (Column 2, Lines 33 – 46; Claim 1), for the purpose of maintaining proper ink ejection without stopping printing operation.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of drive signal is repetitively generated in accordance with a series of first timing signals which are generated in the external of the drive signal generator as taught by Kobayashi et al into the device of Sayama, for the purpose of maintaining proper ink ejection without stopping printing operation.

Claim 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sayama (U.S. Pat. 6,419,337) in view of Hosono (U.S. Pat. 6,984, 010).

Sayama discloses all of the claimed limitations except for the following:

- **regarding claim 7**, the first drive pulses include a pair of first ejection pulses each for ejecting a liquid droplet having a first volume, and a second ejection pulse generated between the first ejection pulses for ejecting a liquid droplet having a second volume less than the first volume.

- **regarding claim 8**, the first drive pulses are generated at a fixed interval each for ejecting a liquid droplet having a fixed volume

Hosono discloses:

- **regarding claim 7**, the first drive pulses include a pair of first ejection pulses each for ejecting a liquid droplet having a first volume, and a second ejection pulse generated between the first ejection pulses for ejecting a liquid droplet having a second volume less than the first volume (Column 5, Lines 30 – 35), for the purpose of optimizing the ejection characteristics of the ink droplets.

- **regarding claim 8**, the first drive pulses are generated at a fixed interval each for ejecting a liquid droplet having a fixed volume (Column 3, Lines 31 – 36), for the purpose of optimizing the ejection characteristics of the ink droplets.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of the first drive pulses include a pair of first ejection pulses each for ejecting a liquid droplet having a first volume, and a second ejection pulse generated between the first ejection pulses for ejecting a liquid droplet having a second volume less than the first volume; the first drive pulses are generated at a fixed interval each for ejecting a liquid droplet having a fixed volume as

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taught by Hosono into the device of Sayama, for the purpose of optimizing the ejection characteristics of the ink droplets.

Response to Arguments

Applicant's arguments filed 2/27/2007 have been fully considered but they are not persuasive.

Applicant argues that Sayama needs at least two cycles (2T) in order to disclose all of the elements of claim 1. However, the cycle of a generated drive signal may be considered as 2T. The first T (first drive subsignal) contains a plurality of first drive pulses (PS1-PS4) and a second drive pulse (P5) selectively inserted to generate pressure fluctuation so as not to eject the liquid from the nozzle orifice; and the second T (second drive subsignal) contains the first drive pulses (PS1-PS4) without containing the second drive pulse (P5). Thus Sayama discloses all the limitations as claimed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

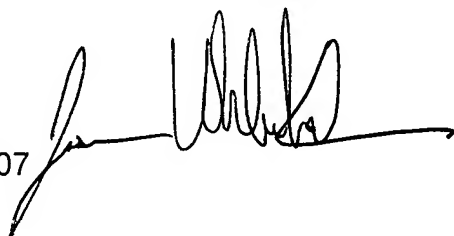
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Uhlenhake whose telephone number is (571) 272-5916. The examiner can normally be reached on Monday - Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JSU
May 10, 2007

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

STEPHEN MEIER
SUPERVISORY PATENT EXAMINER